

**In the United States District Court for the Northern District of Texas
Dallas Division**

SEP 19 2002

(USA and)
Jamal Elhaj-Cehade
Co- plaintiff

Vs.
Educational Commission for Foreign Medical Graduates
Et al entities and individuals) Defendants

3:01-CV-01301-L

**Plaintiff's response to the defendants' recent filings and their response
for sanction**

September 16, 2002

Comes now on this date the plaintiff is filing his response to the defendants' response and motion for sanction as follow:

- 1- On April 11, 2002 at 1:03 PM, the defendants attorney Mr. Barry Moscovitz admitted **ARROGANTLY** to the long existing Exparte communication between the court(judges) and his clients(the defendants). The plaintiff having raised the issues of **exparte communication** and demanded that no court order or judgment be rendered **without the appropriate hearing in the courtroom** and without the presence of all parties, and that any order or judgment rendered in the absence of the above is deemed **null and void, ab initio** FRCP rule 12 and 12-e and 60 and 56 and 55 and many other rules of 28 U.S.C. and other rules and no rules(it is not discretionary to the court to decide the matter) and must be vacated immediately, and the plaintiff demanded that if the judges cannot **comply they must remove** themselves with dignity or else, and the plaintiff did file motion for removal to do so in advance. But the millions of dollars missing from the defendants vault are tempting and the court conduct is self explanatory and there is a pattern.
- 2- The defendants are filing their responses and requests as if the matter is **business as usual**. However, the plaintiff having raised the issue of exparte communication and voidance of the judges and their orders take precedence over any filing.
- 3- The defendants filing by their attorneys are hogus bogus that were repeatedly denied and argued by the plaintiff. The plaintiff thus denies all the content and words of the defendants and denies that he is a vexatious litigant. The plaintiff is not interested in the court and he does not wish to become a lawyer(silly job where corruption and useless paper chase, because the matter is not about laws or rights or constitution but rather about paper-chase where judges and lawyers can have their ways scamming the public, and this is clear evident by the amount spent by the defendants to destroy the plaintiff and bringing the matter to the boiling point with unknown abyssal consequences rather than a little money spent wisely to promote the advancement of the plaintiff(a duty owed to the plaintiff and evidence speaks for themselves).- it is unconceivable, and the plaintiff is

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warning the judges and the attorneys of the consequence of their questionable conducts.

- 4- The plaintiff denies that he is a vexatious litigant, the plaintiff has been long a peaceful man. The problem does not lie with the plaintiff rather with the defendants who violate the laws and constitution and they **brag** about their violations because they see themselves **above** the law buying judges and court orders with their **embezzled millions** of dollars, and the courts conducts speaks for themselves
- 5- The plaintiff reaffirms his requests for the removal of judges and their void and null orders and the plaintiff demands that a new hearing be redone in the court room and in the presence of all parties(to eliminate the Exparte communication). And in the presence of other parties(public and the media)
- 6- Evidence of exparte communication are clear by the conduct of the court(all the proceedings indicate that judges are acting in concert with the orders they receive from the ECFMG) and that there is a pattern in conduct(judges could have waited one more day to see for the pre-trial conference. But they render judgment and order in a DÉJÀ VU pattern by their predecessor and in order to cover up for his predecessors—IT is shame.
- 7- Evidence of exparte communications also exists by the denial of the plaintiff requests to appoint a counsel¹ by the Magistrate Judge and by the refusal of the district judge to hear the interlocutory appeal of the magistrate judge order to deny the plaintiff requests to appoint a counsel, because the Magistrate judge denials to appoint a counsel said that the plaintiff does not need a legal representation because the evidence against the defendants are self explanatory and easy. **BUT judge Lindsay decided not to see(blindness under the influence).**
- 8- The plaintiff denies firmly that he failed to provide citations and support for his claims- FRCP rules including rule 12 are self explanatory in that the voidance and nullness of the court orders are NOT DISCRETIONARY(IT IS NOT UP TO THE COURT NOR THE JUDGES TO DECIDE IT). Therefore, the removal of the judges and their void and null orders is a must before any further filing by the defendants or argument.
- 9- The judges orders and judgment were **deliberately done to increase the cost** of litigation by charade of unnecessary appeals and paper chase giving room for the

¹ The plaintiff motion to appoint a counsel was forwarded without the plaintiff consent to the Magistrate judge Paul Stickney. Judge Stickney denied the plaintiff requests saying that the evidences are easy and self explanatory against the defendants to the point that the plaintiff does not need a legal representation. The plaintiff did appeal the interlocutory order, but judge Lindsay was determined not to see was his magistrate saw nor did he address the matter before any ruling or final judgment.---- it is unconceivable what Exparte communication could do.- it is clear indication that everything was pre-arranged between the court and the defendants.—thus all orders are void and null and they do not need appeal(FRCP rule of reducing costs of litigation)...

judges of USCA5 to be bribed and for attorneys to charge 300 US\$ per hour. However, the plaintiff is determined that he will not allow any judge or attorney to enjoy what they have acquired under those circumstance.

- 10- The plaintiff requests to have a hearing in the court room in the presence of all parties before judge and **jury** is the Just way and fair way to do, and it enhance the proper administration of justice and reduce costs and enhance efficiency and reduce wastes. But the judges and the attorneys have something else on their minds, and they want to deprive the plaintiff the opportunity to acquire his share of the 15% for the recovery.
- 11- In addition, the plaintiff fully rejects all the defendants allegations and claims that the defendants are powerless. The defendants do have obligations to fulfill and the defendants are accountable for any failure on their part. The defendants capable of blinding the judges are powerful enough to fulfill their obligations toward the plaintiff.
- 12- Evidence of exparte communication also evident by the refusal of the judge to render **injunction** to stop the violation of the defendants. The judge is saying that it is ok to violate because the defendants are repetitive violators.. therefore the judge is saying is ok to indulge in slavery because it was done in the past. However is reassuring all parties that it is ok for the plaintiff to get even in the way he sees fit because the plaintiff is a known to get even when needed.
- 13- The plaintiff will no longer uses the court(corrupt system, the plaintiff already knows the game and the scam of the judiciary system) as a mean to settle his disputes instead the plaintiff sees that the Jewish laws of an eye for an eye are better. – in other words, the plaintiff will not give the chances for attorneys to do paper-chase at 300 US\$ per hour and he will not give the chances to judges to fill their pockets. And those people are responsible for what they bring upon themselves. God justice is supreme and they will get burned in the hellfire.
- 14- The plaintiff asserts that exparte communication will not go unpunished, and the plaintiff is in Texas to stay.
- 15- The plaintiff firmly denies that he did not present any evidence, the plaintiff filed his motion for summary judgment on May 29, 2002 and the plaintiff submitted evidences HIGHLIGHTED with Neon Markers in yellow, light-red, Pink, or light blue and green. **These colors are also used in traffic signs to make them clearly visible and from a distance**, so if the judges and attorneys did not see the evidences in those colors, their driving privileges and licenses must be suspended because of the danger they pose on the public safety, and the plaintiff will make their wishes come true. Since the judges and attorneys decided to be blind, they must remove themselves from the public highway and if they cannot do so for themselves, many people will do it for them. Judges and attorneys cannot be blind

for the sole purpose of achieving some illegal gains. In addition the blindness of the judges and attorneys make them unsuitable to drive on the roads and highways

- 16- The preliminary evidences submitted by the plaintiff against the defendants abuse exceeds the violations of **Enron and Worldcom**. And since judges and attorneys did not see them highlighted in the traffic sign neon color clearly speaks of ex_parte communication.
- 17- The US Constitution allows people to bear arms to fights injustice and corruption where it exists, and someday the US people who adores freedom and liberty will rise against tyranny and restore the principle founding of this beloved Nation(We the People and People Bill of Rights).
- 18- Evidence of Exparte communication and deliberate action by the judges lie also by the fact that the plaintiff wanted the FRCP rules of reducing costs and increasing efficiency and enhancement of further administration of justice be implemented by hearing in the courtroom in the presence of all parties. But there is a pattern in the court of silly games played to increase the costs and making rooms for more corruption as everybody wants a bite of the spoil. And the public does have the right to know about those hoaxes and scam: It is never about freedom or rights, constitution or justice rather about paper chase and the scam associated with it. And it is not about how smart or prepared attorney you are in order to win a case rather about attorneys belonging to the same network of judges and have the connection to force their corruption.

Conclusion:

There are plenty of evidence regarding the **voidance and nullness** of the orders and judgments, the court conducts have been demeaning and gruesome. The judges have acted outside all the norms and rules of decency. There is a clear evidence that hearing in the courtroom in the presence of all parties would give each party to voice their grievances and reduce cost(FRCP). There are clear evidence of exparte communication and influence between the defendants and the court and the defendants attorneys admitted that all the proceedings were **hoax and prearranged** and predetermined between the defendants and the court and as admitted by the defendants attorneys and **the matter speaks for itself**. There are clear evidence that judges did have the choice to act decently by either allowing hearing in the presence of all parties as requested by the plaintiff or by excluding themselves(voluntary removal)- therefore a new proceeding must be restarted with different judges. There is evidence that the orders are null and void and that an appeal is not necessary (no order or judgment to be appealed) and that the appeal will increase the cost of litigation(deliberate action by the judges).there are millions of dollars missing that influenced the courts conducts.—therefore, the plaintiff holds the defendants attorneys and the judges personally accountable and the plaintiff is entitled to do what he has to do. Any order past and present by the court from the judges that at one time or another presided in a proceeding between the plaintiff and UTSW or ECFMG are

null and void because of Exparte Communication and influence and that a new proceeding must be initiated. Failure to do so, further measures will be taken and this includes report to news media and associated press. In other words do not throw stones if you live in glass houses. These measure will be taken, definitively not through charade paper-chase, as long as **the plaintiff demands** are ignored or not **satisfactory met..** the defendants are liable for any action or done to anyone that may be done by the plaintiff in his process to identify his NEEDS(because the plaintiff is a Good Samaritan and simply the plaintiff is doing what the ECFMG is supposed to do, and the defendants do have until November 30, 2002 to come up with the solution).

In addition to the voidance/nullness/ and lack of validity of the court orders and judgments, they are also unconstitutional, and the plaintiff will wipe his donkey with all the courts orders and judgments that have no respect for the foundation and principle of this beloved Nation and its Constitution.

19- Wherefore decency is considered and if still exist, the plaintiff is asking that judge Lindsay be removed, along his Magistrate Paul Stickney, taking along with them their null, void and unjust orders and judgment, and **that new judges be appointed,** and upon the proper hearing in the court room and in the **PRESENCE** of all parties, and by JURY. **This is the most efficient and economical way (FRCP rules of cost and efficiency) and the best way to enhance the administration of justice. And the defendants do have the duty to identify the plaintiff needs and meet them.—and those needs change with time. And all the defendants responses and claims are denied and rejected and inappropriate absent removal of judges and hearing in the courtroom while all parties present. Orders and judgments must not be bought by the millions of dollars that are missing from the vault of the defendants.**

Certificate of Service: This is to certify that a true copy of the foregoing was sent to the defendants via USPS and regular mail to their attorney Mr Mark Roberts 6688N Central Expressway #850, Dallas Texas 75206-3913 on the days of September 19, 2002.

Respectfully Submitted to the new **prospective** judges
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